

Message Text

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15

ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 SCA-01 CIAE-00 INR-07 NSAE-00

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R 282222Z SEP 76

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 7675

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FOR WALENTYNOWYCZ FROM CHARGE

E.O. 11652: N/A

TAGS: CASC, MX (FRONCZAK, SANDRA)

SUBJECT: W/W: FRONCZAK CASE

REF: STATE 238279

1. THE EMBASSY IS WELL AWARE OF INCREASING PRESSURES UPON U.S. GOVERNMENT FOR SOME VISIBLE SIGNS OF ACTION OR PROGRESS IN FRONCZAK CASE. AS DEPARTMENT IS AWARE, WE HAVE EXPENDED CONSIDERABLE EFFORTS WITH GOM OFFICIALS TO KEEP ATTENTION FOCUSED ON THIS CASE AND TO ENSURE THAT INVESTIGATION CONTINUES. AT THIS STAGE, WE BELIEVE THAT GOM AUTHORITIES, AT BOTH STATE AND FEDERAL LEVEL, ARE SENSITIZED TO THE HARMFUL POTENTIAL IN THIS CASE FOR MEXICO AND MEXICAN TOURISM. THERE REMAIN, NONETHELESS, VERY REAL RESTRAINTS UPON EMBASSY AND THE TYPE OF ROLE U.S. GOVERNMENT CAN HOPE TO PLAY IN WHAT IS ESSENTIALLY AN INTERNAL POLICE MATTER IN A FOREIGN STATE.

2. WE BELIEVE IT MIGHT BE POSSIBLE TO ARRANGE, THROUGH FEDERAL ATTORNEY GENERAL OJEDA PAULLADA, A MEETING BETWEEN EMBASSY REPRESENTATIVES (INCLUDING LEGAL ATTACHE), THE STATE AUTHORITIES HANDLING THE INVESTIGATION, AND FEDERAL POLICE OFFICIALS WHO HAVE FOLLOWED THE CASE FROM
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MEXICO CITY. THE PURPOSE OF SUCH A MEETING WOULD BE TO

GO OVER THE INVESTIGATION, RESOLVE ANY QUESTIONS THAT MIGHT BE RESOLVED, AND PERHAPS TO OFFER SUGGESTIONS FOR CONTINUING THE INVESTIGATION. HOWEVER, WE CONSIDER IT UNLIKELY THAT GOM WOULD AGREE FOR USG TO PLAY ANY ACTIVE ROLE IN INVESTIGATION, PARTICULARLY IF THE OBJECT OF OUR PARTICIPATION WOULD BE, IN PART, TO PUBLICIZE OUR EFFORTS FOR DOMESTIC CONSUMPTION. FOR USG TO UNDERTAKE PUBLICLY TO MONITOR THE THOROUGHNESS OF THE INVESTIGATION WOULD, IN OUR OPINION, BE EXTREMELY REPUGNANT TO GOM, BOTH AS IMPLICIT CRITICISM OF COMPETENCE OF MEXICAN AUTHORITIES AND AS DEROGATION OF SOVEREIGNTY. FROM OUR POINT OF VIEW, ALSO, WE BELIEVE IT WOULD BE UNWISE TO INVOLVE FBI DIRECTLY IN ATTEMPTING TO MONITOR AN INVESTIGATION OVER WHICH IT HAD NO DIRECTIVE AUTHORITY.

3. IF THE OBJECT OF OUR EFFORTS WERE TO BE IN A POSITION QUIETLY TO OFFER SUGGESTIONS ON THE INVESTIGATION, RATHER THAN TO PUBLICIZE OUR EFFORTS, IT WOULD PROBABLY BE BETTER TO APPROACH THE STATE AUTHORITIES DIRECTLY RATHER THAN THROUGH OJEDA PAULLADA. STATE ATTORNEY GENERAL ACOSTA APPEARS GENUINELY CONCERNED OVER THE UNFAVORABLE PUBLICITY RECEIVED ON THE CASE AND IS OPEN TO SUGGESTIONS FROM THE EMBASSY, TO A DEGREE. HE WOULD PROBABLY HAVE NO OBJECTION TO DISCUSSING THE INVESTIGATION IN DETAIL WITH EMBASSY OFFICIALS, INCLUDING A REPRESENTATIVE FROM LEGAL ATTACHE. HE MIGHT BE WILLING TO ACCEPT TECHNICAL SUGGESTIONS FROM THE LEGAL ATTACHES OFFICE. (HE HAS ALREADY ASKED EMBASSY'S HELP IN OBTAINING FOR HIM AN "IDENTIKIT" TO ASSIST IN PUTTING TOGETHER FACSIMILE SKETCHES OF THE MISSING SUSPECTS.)

4. WE ARE MORE CONFIDENT OF OBTAINING COOPERATION FROM STATE AUTHORITIES IF WE APPROACH THEM DIRECTLY THAN IF WE GO THROUGH FEDERAL ATTORNEY GENERAL. LATTER COURSE RUNS THE RISK OF RUBBING SENSITIVITIES ON STATE/FEDERAL RELATIONS, AS WELL AS INTERNATIONAL. HOWEVER, IN VIEW OF NEED TO DEMONSTRATE USG ACTION AT HIGH LEVEL, WE WILL CONTACT ATTORNEY GENERAL OJEDA PAULLADA AND REQUEST HIS ASSISTANCE IN ARRANGING TECHNICAL MEETING PROPOSED PARA TWO, BASING OUR REQUEST ON INTEREST IN THIS CASE LIMITED OFFICIAL USE

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SHOWN BY PRESIDENTS OF BOTH COUNTRIES AND CONTINUING UNFAVORABLE PUBLICITY. SINCE THIS CAN POTENTIALLY AFFECT LEGATT'S CONTINUING LIAISON WITH STATE AND FEDERAL OFFICIALS, HE WILL CLEAR WITH FBI HEADQUARTERS PRIOR TO PARTICIPATION. WE WOULD HOPE CIRCUMSTANCES OF MEETING WOULD ALLOW POSSIBILITY OF GENERATING PUBLICITY, PERHAPS THROUGH JOINT PRESS RELEASE, BUT MUST AWAIT REACTIONS OF GOM OFFICIALS.

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